

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

GOLDEN BETHUNE-HILL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
VIRGINIA STATE BOARD OF	)	Civil Action No. 3:14-cv-00852-REP-AWA-
ELECTIONS, et al.,	)	BMK
	)	
Defendants,	)	
and	)	
	)	
M. KIRKLAND COX, SPEAKER OF THE	)	
HOUSE OF DELEGATES, and THE	)	
HOUSE OF DELEGATES,	)	
	)	
Intervenor-Defendants.	)	

**NOTICE OF PROPOSED NAMES OF CANDIDATES  
TO SERVE AS SPECIAL MASTER**

Defendants submit this notice in response to the Court’s September 14, 2018 order requiring the parties to “propose the names of candidates to serve herein as Special Master to aid in the redistricting process.” ECF No. 263 at 2. For each proposed candidate, the parties were instructed to “set out the candidates’ qualifications and experience, the fee proposal by each candidate, and any restrictions on the candidates’ ability or availability to serve as Special Master.” *Id.* Defendants propose two candidates:

1. **Professor Bernard Grofman, University of California-Irvine.** Professor Grofman holds a Ph.D. in political science from the University of Chicago. He is the author and editor of multiple books and more than 300 articles and research notes on the political process, including voting-rights and redistricting issues. Professor Grofman has served as a consultant in five federal cases. Most relevant here, Professor Grofman served as Special Master in

*Personhuballah v. Alcorn*, 155 F. Supp. 3d 552 (E.D. Va. 2016), a case in which this Court adopted one of the redistricting maps proposed in his report. See *id.* at 556 (“[W]e find that one of the two plans proposed by Dr. Grofman . . . best remedies the constitutional violation . . . .”); see also *id.* at 565-66 (Payne, J., concurring in part and dissenting in part) (“[I]f the majority opinion on the merits is affirmed by the Supreme Court, I agree that the remedial plan adopted by the majority . . . represents the most appropriate way to remedy the constitutional violation that the majority identified . . . .”). A short version of Professor Grofman’s curriculum vitae is attached as Exhibit A.

Professor Grofman advised that he would charge the same fee in this case as he did in *Personhuballah*: \$400 per hour for his time and \$75 per hour for his research assistant, who is currently a Ph.D. candidate in political science at UC Irvine. Professor Grofman also indicated that he would plan to follow the same approach in this case as he did in *Personhuballah*.

Professor Grofman represented that he is not limited in his ability or availability to participate as Special Master.

2. **Professor Nathaniel Persily, Stanford Law School.** Professor Persily, who holds both a J.D. and Ph.D. in political science, has published widely on redistricting issues, including a law review article on court-drawn redistricting plans. See Nathaniel Persily, *When Judges Carve Democracies: A Primer on Court-Drawn Redistricting Plans*, 73 G.W. Univ. L. Rev. 1131 (2005). Professor Persily has served as a special master or court-appointed expert—and has also drawn plans that have been adopted by courts—in numerous redistricting cases. See, e.g., *League of Women Voters v. Commonwealth*, 178 A.3d 737 (Pa. 2018) (appointed by the Supreme Court of Pennsylvania to advise and assist with drawing Pennsylvania’s congressional district map); *Covington v. North Carolina*, 283 F. Supp. 3d 410 (M.D.N.C. 2018) (appointed by



**CERTIFICATE OF SERVICE**

I hereby certify that on September 20, 2018, a true and accurate copy of this paper was filed electronically with the Court's CM/ECF system, which will then send a notification of such filing to the counsel of record in this case

By: /s/  
Toby J. Heytens